

## **BOARD OF SELECTMEN**

### **Minutes of July 23, 2007**

Chairman McArdle called the meeting to order at 7:30PM. Board members present in addition to the Chairman McArdle were Richard Gandt, Steve Clark, Boyd Jackson and Richard Carlson. Of the Selectmen's staff, Town Administrator Virginia Wilder, & Donna Rich, Board Secretary, were in attendance. Other persons present were Jane Schraffa and Evelyn Hammond of Topsfield Cable. Also present Brendan Lewis of the Tri-Town Transcript, Faye Raynard, Village Reporter, Jan Ablon, representing Main Street Foundation, Joe Geller, representing Recreation Committee, Foti Qirjazi, owner at 53 Main St, Pastor Calloway, Patty Knight and Jay Kahn for the signage permit at 478 Boston St, Robert Pellegrinin Jr of Smolak & Vaughan, James Silva and Kevin Jackson, distributor of Shell for the signage permit at 158 Haverhill Rd.

**Announcements:** Chairman McArdle announced that the Board would be going into Executive Session at the end of the meeting to discuss the Fire Chief Contract, Fire Union Contract, Parks & Cemetery Union Contract, Highway/Water Departments Union Contract, Workers Compensation Settlement, Town vs. Bernstein update, Village Shopping Center vs. Building Inspector and Zoning Board of Appeals and the Board would not return to open session.

**Selectmen Minutes:** Selectman Jackson made a motion to approve the amended minutes of July 9, 2007; seconded by Selectman Gandt; so voted 5-0. Selectman Jackson made a motion to approve the amended minutes of the Executive Session of July 9, 2007 and to hold until all issues have been resolved; seconded by Selectman Gandt; so voted 5-0.

### **GENERAL BUISNESS:**

#### **OLD BUSINESS:**

**New Member of Conservation Commission:** Selectman Clark requested that this appointment be held until the next meeting.

#### **NEW BUSINESS:**

**Topsfield Fair Parade:** Selectmen Clark made a motion to permit the Essex Agricultural Society to have the annual Fair parade to be held on September 29<sup>th</sup> beginning at 9AM, seconded by Selectman Gandt; so voted 5-0.

**Library Closing of South Common St:** Selectman Clark made a motion to allow the Library to close South Common St on September 9, 2007 from 2PM – 4PM for the Friends of the Library Membership Drive and an outdoor concert, seconded by Selectman Gandt; so voted 5-0.

**Annual Bike Road Race:** Selectman Gandt made a motion to approve the 4<sup>th</sup> Annual Bike Road Race on September 8, from 8AM – 1PM with a route as provided by the Recreation Committee and approved by Police Chief, seconded by Selectman Clark; so voted 5-0.

**Special Olympics Ride with the Champions:** Chairman McArdle presented a request from the Special Olympics Massachusetts to obtain permission for a fundraiser which will utilize Topsfield roads for an annual event to be held on Saturday, September 15, 2007 beginning at 8AM. Selectman Clark asked that the request be forwarded to the Police Chief, Fire Chief and Highway Superintendent for their input before the Board approves of the event.

**Administrator's Report:** see attached.

**APPOINTMENTS:**

**7:45** Bob Quayle has requested a postponement until such time as he notifies the BOS office that he has sufficient information to present his request that the North Shore Vocational High School obtain a portion of the Town Scholarship Fund.

**8:04** Selectman Gandt read the Public Hearing notice for a Special Sign Permit to be located at Alex's Roast Beef, Pizza & Seafood of 53 Main St. Foti Qirjazi, owner, presented a rendering of what the sign was to look like, which was different from what was submitted with the application. There was concern regarding the lighting of the sign on the building, also there was discussion on the material and the color Mr. Qirjazi would choose. In addition, Mr. Qirjazi, had submitted a second sign to be displayed under the Topsfield Dry Cleaners. There was discussion on this sign relative to height, location and necessity. Chairman McArdle made a motion to approve the sign to be located on the front of the building that was presented at the meeting, red background with white lettering, , and defer any further discussion on the free standing sign to another meeting, seconded by Selectman Clark; so voted 4-1, Selectmen Gandt opposed. Jan Ablon of Main Street Foundation addressed the Board stating that the Foundation would prefer darker colors, and signs fabricated from wood.

**8:30** Selectman Gandt read the Public Hearing notice for a Special Sign Permit to be located at Our Savior Lutheran Church of 478 Boston St. Jay Kahn, The Sign Center, Pastor Scott Callaway and Patty Knight, parishioner approached the Board. Mr. Kahn presented a photo with rendering, as presented in the application, of the present sign and the proposed signage. He noted that the new signage would be internally light to display the message inside, however there would be no moving or blinking messages. There was discussion regarding the set backs on Route 1. It was noted that there is a pre-existing sign and that there are no issues with the State in regards to set backs. Selectman Carlson made a motion to approve the application for the replacement of the sign at the Our Savior Lutheran Church on 278 Boston St as presented, seconded by Selectman Jackson; so voted 5-0.

**8:45** Selectman Gandt read the Public Hearing notice for a Special Sign Permit to be located at Silva Tire Depot of 158 Haverhill Rd. Robert Pellegrinin Jr of Smolak & Vaughan, James Silva and Kevin Jackson, distributor of Shell presented a rendering, as presented in the application, of the new signage. Mr. Pellegrinin stated that the reason for the change is that Mr. Silva has changed distributors from Mobil to Shell. They will be placing the sign in the exact location as exists today, it will be illuminated and be on a timer to be respectful of the neighbors. The hours of operation are 6:30AM – 8PM Monday – Saturday and 8AM – 7PM on Sundays. Selectman Carlson made a motion to approve the application for the change in signage to display the Shell logo as submitted at Silva Tire Depot located at 158 Haverhill Rd with internal illumination placed on a timer, seconded by Selectman Clark; so voted 5-0.

**Correspondence & Reports**

Correspondence

- Verizon sent a letter in response to the Towns non-compliance letter of June 11, 2007. Selectman Gandt mentioned that live PEG broadcasting via Verizon Channel 47 is now functioning and the non compliance has therefore been resolved.

- Letter received from John Nolan of 44 Prospect St thanking the Police Chief for a Blind Drive sign being erected.
- Metropolitan Planning Organization has sent documents for public review regarding the capital spending programs for improvements to the transportation system in the 101 municipality MPO area in eastern MA.
- DEP Grant information sessions are available to assist in the application process to promote recycling, waste reduction, water conservation and other similar issues. Grant applications are due 9/13/07.
- The Police Chief has submitted a report conducted on Gail St in response to questions regarding the Day Care facility on Gail St.
- The State has provided the Cherry Sheet Estimates for FY08.
- Dave Bond, Highway Superintendent has sent his response to Grace Gilford's letter regarding Forrest Rd street sign.
- A letter was received from Roger Hale.
- Letter received from the Essex County Fire Chief's Association stating that Fire Chief Ron Giovannacci has been elected to be president for the 8<sup>th</sup> year.
- Letter from Chairman McArdle to the Planning Board and Conservation Commission regarding the Open Space issue at 120 High St.

Reports

- Library Board of Trustees minutes of May 8, 2007
- Cable TV Advisory Committee minutes of May 2, 2007
- Conservation Commission CoC for 8&12 High Ridge Rd, 18 Blueberry Lane, OoC 118 Main St, Amended OoC 59 Main St, 94 S. Main & 80 Alderbrook Dr., DoA 39 Howlett St, Minutes of Jan 24, 07, memo giving permission to the Fair to have fireworks set off at Wheatland Hill on 9/28/07.
- Fire Chief's monthly report.
- Council on Aging minutes of June 11, 2007
- School Committee minutes of June 6 & 21, 2007
- MA Highway Department National Bridge inspection Standard Underwater Bridge Inspection at Perkins Row/Mile Brook location report.

Invitation

- Superintendent of MASCO invited BOS to attend the School Committee meeting of September 5 at 7:30PM for the purpose of appointing a person who will serve for the 3 towns at Collective Bargaining. It was discussed that the Chairman would appoint a representative from the Board to attend.

**Warrants:** The Selectmen signed and approved warrants in the amount of **\$ 319,439.95**. The breakdown is as follows:

Warrant #FY08: **\$ 319,439.95**

007T           \$ 75,175.05

007            \$

008           \$ 244,264.90

**Executive Session:** At 8:55PM, Selectmen Clark moved to adjourn to go into executive session to discuss the Fire Chief Contract, Fire Union Contract, Parks & Cemetery Union, Highway/Water Departments Union Contract, Workers Compensation Settlement, Town vs. Bernstein update, Village Shopping Center vs. Building Inspector and Zoning Board of Appeals and the Board, seconded by Chairman McArdle; so voted 5-0. A yes vote was recorded for Chairman McArdle, Selectmen Gandt, Selectman Clark, Selectman Jackson and Selectman Carlson. The Board would not return to regular session. Virginia Wilder and Donna Rich were present also.

Respectfully submitted,

Donna Rich, Secretary  
Board of Selectmen's Office

*Approved as amended at the August 6 , 2007 Board of Selectmen meeting.*